

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT J. GIBSON,)	
)	Civil Action No. 05 - 874
Petitioner,)	
)	
vs.)	Chief Judge Donetta Ambrose /
)	Magistrate Judge Lisa Pupo Lenihan
LAWRENCE MURRAY, Board)	
Secretary; PENNSYLVANIA BOARD)	
OF PROBATION AND PAROLE; PA)	
STATE ATTORNEY GENERAL;)	
)	
Respondents.)	

MEMORANDUM ORDER

The above captioned Petition was received by the Clerk of Court on June 24, 2005, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.


The Magistrate Judge's Report and Recommendation (Doc. No. 7), filed on July 25, 2006, recommended that the Petition for Writ of Habeas Corpus be denied and that a certificate of appealability be denied. Service was made on all counsel of record. The parties were informed that in accordance with Magistrates Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.1.4(B) of the Local Rules for Magistrates, that they had ten (10) days to file any objections. Petitioner filed Objections to the Report and Recommendation (Doc. No. 8) on July 26, 2006. No reply to the objections has been filed. After review of the pleadings and the documents in the case, together with the report and recommendation and the objections thereto, the following order is entered:

AND NOW, this 14th day of Sept., 2006;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is **DENIED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. ⁷~~11~~) of Magistrate Judge Lenihan, dated January 12, 2006, is adopted as the opinion of the court.


Chief Judge Donetta W. Ambrose
United States District Judge

cc: Lisa Pupo Lenihan
U.S. Magistrate Judge

Frank Arcuri
90 West Chestnut Street
715 Millcraft Center
Washington, PA 15301

Christian Bareford
Susan Forney
Office of the Attorney General
6th Floor, Manor Complex
564 Forbes Avenue
Pittsburgh, PA 15219